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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,274	01/21/2004	Kia Silverbrook	RRA27US	1030
24011	7590	09/12/2006	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, NSW 2041 AUSTRALIA			VO, ANH T N	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/760,274

Applicant(s)

SILVERBROOK, KIA

Examiner

Anh T.N. Vo

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***NON-FINAL REJECTION***

Receipt is acknowledged of the "conditional" request for a Continued Prosecution Application (CPA) filed on 7/06/2006 under 37 CFR 1.53(d) based on prior Application No. 10/760,274. Any "conditional" request for a CPA submitted as a separate paper is treated as an unconditional request for a CPA. Accordingly, the request for a CPA application is acceptable and a CPA has been established. An action on the CPA follows.

***Claim Objection***

The claim 1 is objected to because of the following informality: on line 2, --locate-- should be added after "to". Correction is required.

***CLAIM REJECTIONS***

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 remain rejected under 35 USC 102 (b) as being anticipated Silverbrook (US Pat. 6,347,864).

Silverbrook discloses in Figures 1-10 a print engine comprising:

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- a body (504) complementary to located a removable inkjet cartridge (548) having a pagewidth printhead (516) and an air inlet port (746) (see Figures 2, 4-5 and 10, column 1, lines 10-25);
- an air compressor (522, 510) having an air outlet pipe (524) positioned to couple with and exhaust air to the air inlet port (746) of the removable inkjet cartridge (548) at receipt of the removable inkjet cartridge (548) by the body (504) (Figures 2-5 and 10);
- wherein the body (504) defines a recess dimensioned to locate the removable inkjet cartridge (548) (Figure 2-3, column 2, lines 28 and column 4, lines 65);
- wherein the air outlet pipe (524) terminates within the recess of the body (504) (Figure 4);
- wherein the air outlet pipe (524) traverses a portion of the body (504) defining an internal shelf of the recess (Figure 4); and
- wherein the air outlet pipe (524) has a termination configured to assist piercing of a seal (748) over the air inlet port (746) (Figure 10).

***Response to Applicant's Arguments***

The applicant argues at the second paragraph of page 4 of the amendment that Silverbrook does not disclose a cradle having an air compressor which cooperates with an air inlet port of a removable inkjet cartridge to exhaust air to a printhead of the removable inkjet cartridge, as is required by amended claims 1-6. The argument is not persuasive because Figures 1-5 and 10 of Silverbrook shown limitations of amended claims 1-6 as discussed above.

***CONCLUSION***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (571) 272-2262. The examiner can normally be reached on Tuesday to Friday from 9:00 A.M. to 7:00 P.M..

The fax number of this Group 2861 is (571) 273-8300.

  
ANH T.N. VO  
PRIMARY EXAMINER

09/01/06